

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : KIM et al.
Serial No. : 10/585,029
Filing Date : 16 April 2007
For : NOVEL PYRIDINE DERIVATIVES, A PROCESS FOR THEIR
PREPARATION AND A PHARMACEUTICAL COMPOSITION
CONTAINING THE SAME
Examiner : RAHMANI, Niloofar
Art Unit : 1625
Conf. No. : 6043

745 Fifth Avenue
New York, NY 10151
June 26, 2009

COMMUNICATION

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants note that the notice of allowability issued for this application indicates that only some of the certified copies of the priority documents have been provided. As this application is a 371 filing of an international application, certified copies of all priority documents were provided during the international phase and these were received by the PTO (see attached Notice of Acceptance of Application under 35 U.S.C 371 and 37 CFR 1.495).

The Examiner indicates in his December 11, 2008 Office Action that priority is denied because a certified English translation of the priority document (KR 10-2003-0100132 filed December 30, 2003) was not provided. According to MPEP 1870, "A copy of the priority document and/or a translation thereof, if the priority document is not in English may be required by the examiner if necessary because of an intervening reference". The Examiner's December 11, 2008 office action does not indicate that an intervening reference exists and in view of the

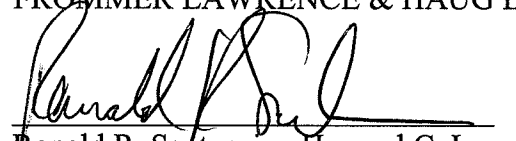
notice of allowance, an English translation of the priority document would not appear necessary according to MPEP 1870.

If the Director exercised his right under 35 U.S.C 119(b)(3) to require an English language translation of the foreign priority document, this was not communicated to the applicants during prosecution.

Applicants respectfully request that a supplemental notice of allowability, indicating that all certified copies have been received, be issued for this application and that priority has been awarded. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



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